

REMARKS

Applicant acknowledges, with appreciation, Examiner Caley's courtesy in conducting a telephonic interview on September 11, 2003. As discussed during the telephonic interview the present Amendment places this application in clear condition for immediate allowance. Specifically, by the present Amendment, the limitations of claim 3, indicated allowable, have been placed into independent claim 1 and claim 3 cancelled. Claims 4 and 5, indicated allowable, have been placed in independent form. Claim 9 has been amended to delete the dependency upon cancelled claim 3. Accordingly, the present Amendment does not generate any new matter issue or any new issue for that matter and clearly places the application in condition for immediate allowance. Based upon the telephonic interview, it is Applicant's understanding that the present Amendment would be entered and the pending claims allowed. The following comments are added for completeness.

Claims 1 and 6 were rejected under 35 U.S.C. §103 for obviousness predicated upon O'Keefe in view of Aksyuk et al.

Claims 2 and 7 through 10 were rejected under 35 U.S.C. §103 for obviousness predicated upon O'Keefe in view of Aksyuk et al. and Chai.

Each of the above rejections under 35 U.S.C. §103 has been rendered moot by incorporating the limitations of claim 3, indicated allowable, into independent claim 1.

Applicant, therefore, submits that the imposed rejections of claims 1 and 6 under 35 U.S.C. §103 for obviousness predicated upon O'Keefe in view of Aksyuk et al. and of claims 2 and 7 through 10 under 35 U.S.C. §103 for obviousness predicated upon

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O'Keefe et al. in view of Aksyuk et al. and Chai have been overcome and, hence, solicits withdrawal thereof.

Based upon the foregoing, it should be apparent that the imposed rejections have been overcome and that all pending claims are in condition for immediate allowance. Favorable consideration is, therefore, respectfully solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



Arthur J. Steiner
Registration No. 26,106

600 13th Street, N.W.

(202) 756-8000 AJS:ntb
Facsimile: (202) 756-8087
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